

MINUTES
PRIVATE PROBATION PROVIDER BOARD
JANUARY 27, 2005– 9:00 A.M.
Room 428 – Fourth Floor - Heber Wells Bldg.
160 East 300 South
Salt Lake City, Utah

CONVENED: 9:02 A.M.

ADJOURNED: 10:28 A.M.

PRESENT:

Clyde Ormond, Bureau Manager
Marty Simon, Board Secretary
Board Members:
Kathy Ockey Sylvester Daniels
James Rowley Sandra Thackeray

ABSENT:

Larry McDonald

GUESTS:

Mitchell Jones, Attorney General's Office; Deb
Hendren Division Bureau Manager.

TOPICS FOR DISCUSSION:

DECISIONS AND RECOMMENDATIONS:

ADMINISTRATIVE BUSINESS:

Minutes:

The Board approved the minutes of the October 26,
2004 board meeting as written.

APPOINTMENTS:

9:30 A.M.
Joe Chapman

Mr. Chapman met with the Board to review his application for licensure. Worked as a corrections officer in Indiana, military police as a sgt major, obtained some college credits in the military, he has a contract security company, and is licensed as a private investigator, has an Associate Degree in Criminal Justice thru the University of Maryland that he took on the base. Didn't bring the transcripts for the degree.

Clyde referred to the definition in the rules regarding equivalent experience which should be defined more specifically. He spoke about the lady who went before the last board meeting that the board had questioned but was later approved by the Division.

Mr. Rowley asked Mr. Chapman if he would be working for another company or will he be establishing his own company and he replied he wants to open his own company. The Board asked him to describe in depth about the types of investigations that he did in the military which he did.

A motion was made by Ms. Ockey and seconded by Mr. Daniels to approve him for licensure as a private probation provider. The motion carried unanimously. He was asked to submit the transcripts for the associate.

10:00 A.M.
Lynette Phillips

Ms. Phillips met with the Board to review her application for licensure. Her application included transcripts showing a BS Degree in Psychology from Weber State University and a Masters Degree in Public Administration from the University of Utah.

Ms. Phillips informed the Board that she had worked for the commander at Hill Airforce Base for nine years, for Jordan School District Education Dept. and has been in charge of a diversity program for the “lost boys” that have been evicted from polygamous homes. She also holds a license as a Private Investigator.

The Board determined her education meets the requirements of the statute. A motion was made by Ms. Ockey and seconded by Mr. Rowley to approve her for licensure as a private probation provider.. The motion carried unanimously.

DISCUSSION ITEMS:

Addition to the Rules

Clyde suggested adding a L&R exam requirement. It doesn't seem that some people in the profession don't seem to understand what they can do within their scope of practice. Mr. Rowley suggested testing on the Administrative law within the courts also. Mr. Ormond suggested implementing a test for the general knowledge for this profession. Ms. Ockey agreed for the law and rules exam but not a general one. Clyde asked if there is any national organization for this profession that might also have a national exam. Clyde explained the process for our professional exam that are administered by Thomson Prometric for the Board's information. Mr. Daniels stated they receive a lot of questions in the court as to what they can do and not do.

Joe spoke to the Board about the lack for protection of employees working in this profession. Clyde suggested the profession should form an Association so they can go to the legislature to propose changes to the statute.

A motion was made by Ms. Thackeray that the Division investigate the possibility of implementing a law and rules exam for this profession. The motion was seconded by Mr. Daniels.

Results of the Rules Change

Copies of the new rules, effective January 18, 2005. Changes were made to unprofessional conduct section number 4, added simultaneously providing education and rehab services, ppp services and consultation to a probationer. There was a misunderstanding within the profession about what is required in the statute about the above. Letter we sent out last june prompted several PPP calling in upset. After a meeting last fall with the AG's office we decided language had to be added to the rules to clarify the scope of practice. Judges were requiring that the PPP do both so it was necessary to clarify this. 58-50-2 definition of a PPP changed to anything that might affect the PPP impartiality. This could create problems in the rural areas where there are fewer mental health counselors and PPPs. It violates Deb's code of ethics for her mental health counselors.

January 21st meeting with the Court

Will be meeting with the district judges meeting in Moab in May, 2005. Mitchell Jones reviewed with the Board the ten questions they are going to ask the judges at the meeting. Ms. Ockey stated this would affect the Dept of Corrections.

Deb stated it is a violation of the mental health code of ethics to exploit a client for participating in a dual role. A skills class is not mental health violation if it is clearly only a skill class. Ms. Ockey referred to the statute that states rehabilitative and ??? is part of the PPP services.

Mitchell stated we are still in limbo and not enforcing this with the PPP until the law can be changed. Most judges are not aware of this requirement in this law when they are assigning the probation. It would be OK if the PPP doesn't do PPP and counseling with the same probationer. They can only provide one service to one probationer.

Kathy suggested doing some education with the Statewide prosecutors association.

NEXT MEETING:

June 23, 2005

DATE APPROVED

CHAIRPERSON, PRIVATE PROBATION
PROVIDER BOARD

DATE APPROVED
OCCUPATIONAL & PROFESSIONAL
LICENSING

BUREAU MANAGER, DIVISION OF